IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1680/07

Jitendra Badwa **Vs.** Smt. Suman Badwa & Anr.

DATE OF ORDER :: 25/10/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Akhil Simlote, for petitioner

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Instant petition has been filed assailing order dt.22nd November, 2006 whereby application filed by respondents u/s.125 Cr.P.C. was disposed of by learned trial Judge.

There cannot be dispute that revision petition against order impugned is maintainable u/s.397 Cr.P.C. In view of remedy available to petitioner, this court is not inclined to exercise inherent power available u/s.482 Cr.P.C.

Consequently, misc. petition stands dismissed. However, petitioner will be at liberty to file revision petition and since the matter remained pending for sometime, application, if filed under Limitation Act seeking condonation may be considered sympathetically. Relevant papers be made available to petitioner on furnishing xerox copies of the same.

[AJAY RASTOGI],J.